

House File 145 - Introduced

HOUSE FILE _____
BY TYMESON

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the suspension of students who commit assault.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
3 TLSB 1842YH 82
4 ak/es/88

PAG LIN

1 1 Section 1. Section 282.4, subsection 2, Code 2007, is
1 2 amended to read as follows:
1 3 2. a. A student who commits an assault, as defined under
1 4 section 708.1, against another student or a school employee in
1 5 a school building, on school grounds, or at a school-sponsored
1 6 function shall be suspended for a minimum of three days or a
1 7 longer time to be determined by the principal. Notice of the
1 8 suspension shall be immediately sent to the president of the
1 9 board. By special meeting open to the public or at the next
1 10 regularly scheduled board meeting, the board shall review the
1 11 suspension and may decide whether to enforce the suspension.
1 12 If the suspension is enforced, the board shall also decide
1 13 whether to hold a disciplinary hearing to determine whether ~~or~~
1 14 not to order further sanctions against the student, which may
1 15 include expelling the student. In making its decision, the
1 16 board shall consider the best interests of the school
1 17 district, which shall include what is best to protect and
1 18 ensure the safety of the school employees and students from
1 19 the student committing the assault.
1 20 b. A student shall not be suspended or expelled pursuant
1 21 to this section if the suspension or expulsion would violate
1 22 the federal Individuals with Disabilities Education Act, 20
1 23 U.S.C. } 1400-1450.

EXPLANATION

1 24 This bill requires that students who physically harm
1 25 another student or a school employee be suspended
1 26 automatically from school for a minimum of three days. The
1 27 bill allows the school board to waive the suspension after
1 28 review of the events at a meeting that is open to the public.
1 29 If the suspension is not waived, then the board shall decide
1 30 whether further disciplinary measures are needed. The bill
1 31 does not apply to students whose suspension or expulsion would
1 32 violate the federal Individuals With Disabilities Education
1 33 Act.
1 34 Act.
1 35 LSB 1842YH 82
2 1 ak:nh/es/88